

Serial No. 10/501,724
Atty. Doc. No. 2001P22564WOUS

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REMARKS

Claims 13-19, 21, 23, and 26-29 are pending in the application. Claims 13, 14, 16 - 19, 21, and 28 - 29 are rejected under 35 USC 103(a) as being unpatentable over Becker et al (US 6,452, 384) in view of Sutton, Jr. et al (US 5,315,234). Claims 15, 23, 26, and 27 are rejected under 35 USC 103(a) as being unpatentable over Becker et al (US 6,452, 384) in view of Sutton, Jr. et al (US 5,315,234) and further in view of Fujino et al (US 6,067,002).

Claim 13 and 28 are amended. Claim 18 is cancelled. Thus, claims 13-17, 19, 21, 23, and 26-29 are presented for examination. No new matter has been added.

Response to rejections under 35 USC 103(a)

The Examiner correlates Becker's filler material 23 to Applicant's flexible rear layer 22. However, Becker's filler material 23 is not described as flexible. It is only described as moldable and curable. Hard engineering plastics are moldable and curable, but are rigid after curing, unlike Applicant's flexible rear layer 22 as recited in all independent claims 13, 23, and 28.

Becker, col. 6, Lines 26 - 32: A moldable material 23 is cast in a gap between the side parts 30 and 31 up to about half the depth of the groove 18. The moldable material 23 is curable. Once the moldable material 23 has cured, this produces a scanning head 1 which is accurately matched to the test surface 3, for an eddy-current test.

Becker's embodiment of FIG 8, in which his filler material 23 appears, is not described as a flexible stack of layers. It is only described in col. 6, lines 15 - 32 as being matched to a test surface 3 after curing, but not as flexible, unlike Applicant's flexible stack of layers recited in all independent claims 13, 23, and 28.

On page 3 paragraph 3 of the Office Action, the Examiner correlates Becker's film base 9 to Applicant's base layer 16, and states that Becker's coil 6 is mounted on the rear surface of his film base 9. However, Becker's coil 6 is mounted on the front of his film base 9, as shown in FIG 1, unlike Applicant's coils 4, 7 as recited in claims 13 and 28.

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Combining Sutton with Becker to add ferrite particles of Sutton to the filler material 23 of Becker would not produce the claimed invention, because the filler material 23 of Becker is separated from his coils 5, 6 by the thickness of his film base 9. This is unlike Applicant's coils 4, 7, which are on the rear surface of the base layer 16 such that the rear layer 22 at least partially covers and contacts the coils (claim 13) or is attached to the coils (claim 23) or directly covers a coil (claim 28). Also, this addition of ferrite from Sutton would not remove any of the other distinctions between Becker and the present invention as described above.

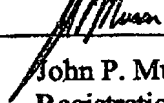
Conclusion

The above arguments show that Becker alone or combined with Sutton does not produce the invention as claimed in the independent claims 13, 23, and 28. The remaining dependent claims contain all the limitations of an independent claim plus further limitations. Accordingly, Applicant feels this application is in condition for allowance, which is respectfully requested.

The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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